

**EXHIBIT D**

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Attorneys for Defendant  
APPLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

TIMOTHY P. SMITH; MICHAEL G. LEE;  
DENNIS V. MACASADDU; MARK G.  
MORIKAWA; and VINCENT SCOTTI, on  
behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

APPLE INC.; AT&T MOBILITY LLC; and  
DOES ONE through ONE HUNDRED,  
inclusive

Defendants.

CASE NO. 07-CV-05662-RMW (PVT)

**STIPULATION EXTENDING TIME FOR  
DEFENDANT APPLE INC. AND  
DEFENDANT AT&T MOBILITY LLC TO  
ANSWER OR OTHERWISE RESPOND TO  
PLAINTIFFS' COMPLAINT**

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs  
2 Timothy P. Smith, Michael G. Lee, Dennis V. Macasaddu, Mark G. Morikawa and Vincent  
3 Scotti and Defendants Apple Inc. ("Apple") and AT&T Mobility LLC ("ATTM"), through their  
4 respective counsel that, pursuant to Civil Local Rule 6-1 (a), the time in which Apple and AT&T  
5 may move, answer, or otherwise respond to Plaintiffs' First Amended Complaint, which was  
6 filed in state court on November 2, 2007 (the action was removed to this Court on November 7,  
7 2007) (see Docket Item #1), is extended to and including December 21, 2007.

8 IT IS FURTHER STIPULATED that if Apple and/or ATTM respond to the  
9 Complaint through a motion, the parties agree that plaintiffs' opposition to the motion shall be  
10 filed on January 31, 2008, that defendants' reply brief(s) shall be filed on February 11, 2008, and  
11 that any such motions shall be set for hearing on February 25, 2008 or another date thereafter  
12 that the Court is available.

13 These changes will not alter the date of any event or any deadline already fixed by  
14 Court Order.

15 IT IS SO STIPULATED.

16  
17 Dated: November 9, 2007

Respectfully submitted,

LAW OFFICE OF DAMIAN R. FERNANDEZ

19 By Damian R. Fernandez  
20 Damian R. Fernandez  
21 Attorneys for Plaintiffs  
22 TIMOTHY P. SMITH, MICHAEL G. LEE,  
23 DENNIS V. MACASADDU, MARK G.  
24 MORIKAWA and VINCENT SCOTTI

25  
26 Dated: November 8, 2007

Respectfully submitted,

CROWELL & MORINO LLP

27 By Daniel Sasse  
28 Daniel Sasse  
Attorneys for Defendant  
AT&T MOBILITY LLC

1 Dated: November 9, 2007

Respectfully submitted,

2 LATHAM & WATKINS LLP

3  
4 By /s/ Christopher S. Yates

5 Christopher S. Yates  
6 Attorneys for Defendant  
7 APPLE INC.

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